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Hon. Lorna G. Schofield
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

VIA ECF

December 15, 2023

Re: *Huckabee v. Meta Platforms, et al.*, Case No. 1:23-cv-091520-LGS

Dear Judge Schofield:

Pursuant to Your Honor's Individual Rules and the Court's December 6, 2023 order (Dkt. No. 53), Defendant EleutherAI Institute (the "Institute") writes to inform the Court that the Institute's counsel has conferred with counsel for Plaintiffs regarding the Institute's proposed motion to dismiss under Fed. R. Civ. P. 12(b)(2). As Plaintiffs informed the court in this evening's letter, they have agreed in principle to dismiss the Class Action Complaint without prejudice as to the Institute.

The Institute expects that the dismissal will be filed next week without incident. If for any reason it is not, we are prepared to immediately file a letter detailing the basis for our proposed motion, and to brief the motion on the same schedule proposed by the Bloomberg Defendants for their motion to dismiss under Fed. R. Civ. P. 12(b)(6). Pending entry of the dismissal, the Institute reserves all rights and objections to venue and personal jurisdiction in this Court.

Respectfully submitted,

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